



CITY OF DUBLIN • BUILDING & SAFETY DIVISION

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SWIMMING POOLS, HOT TUBS AND SPAS

Code Adoption

Pursuant to Chapter 8.40 of the City of Dublin Zoning Ordinance and the currently adopted building codes (i.e. *2010 California Building Code (CBC)*, *2010 California Plumbing Code (CPC)*, *2010 California Mechanical Code (CMC)*, *2010 California Electrical Code (CEC)* along with amendments) permits shall be required for the installation of swimming pools, hot tubs and spas located on the premises of Group R-3 Occupancies (attached or detached single-family dwellings). A plan approval must therefore be obtained from the Planning Division, Building & Safety Division and Public Works Department before commencing any work. *

Further, Dublin's Municipal Code 7.28.290 stipulates that all swimming pools, spas, fish ponds and hot tubs not exceeding 18" in depth or pre-manufactured swimming pools, spas or hot tubs not exceeding 4' if resting on the surfaces of the ground or a concrete slab on the ground. shall be exempted from a pool permit. Any plans submitted shall indicate a type of safety feature that satisfies the conditions mandated by local and state regulations. * permits are still required for any plumbing, mechanical or electrical work.

Further Article 2.5 (commencing with Section 115920) is added to Chapter 5 of Part 10 of Division 104 of the Health and Safety Code, to read: "The Swimming Pool Safety Act". All swimming pools, spas, fish ponds and hot tubs not exceeding 18" in depth shall be exempted from a pool permit. Any plans submitted shall indicate a type of safety feature that satisfies the conditions mandated by local and state regulations.

Definitions

Barrier – a fence, wall, building wall or a combination thereof that completely surrounds the swimming pool and obstructs access to the swimming pool.

Grade – the underlying surface such as earth or a walking surface.

Spa, Self-Contained – is a continuous-duty appliance in which all controls, water-heating and water-circulating equipment is an integral part of the product, located entirely under the spa skirt. A self-contained spa is intended for recreational bathing and contains water over 18" ⁽¹⁾.

Safety Covers- for pools, spas, and hot tubs shall have an ASTM 1346 listing.

Swimming Pool – any structure intended for swimming or recreational bathing or wading that contains water over 18" ⁽¹⁾ deep. This includes in-ground, aboveground and on-ground swimming pools, spas and fixed-in-place wading pools.

Swimming Pool, Indoor – a swimming pool that is totally contained within a residential structure and surrounded on all four sides by a wall of such structure.

Swimming Pool, Outdoor – a swimming pool that is not an indoor pool.

I. ZONING REQUIREMENTS

- Private swimming pools, spas and hot tubs are not permitted in residential lots within the 20' front yard setback. The minimum side yard, street side yard and rear yard setbacks shall be **zero (0) feet** for residential lots less than 5,000 sq. ft in size, and **3'** minimum for residential lots greater than 5,000 sq. ft. (measured at waterline).

It is strongly suggested to verify all setback dimensions prior to filing for a building permit application for a swimming pool and spa/hot tub installations.

- Gas heater equipment or associated pool/spa equipment shall be installed similarly to the pool's setback regulations. Provide the approved manufacturer's specifications indicating the equipment is completely muffled (i.e., flu-less heater zero-clearance).

II. BUILDING REQUIREMENTS

A. Barriers for Outdoor Swimming Pools

1. Swimming pools shall be provided with a perimeter yard barrier at least **60"** ⁽¹⁾ above grade measured on the side of the barrier that faces away from the pool. The maximum vertical clearance between grade and bottom of the barrier shall be 2" measured on the side of the barrier that faces away from the pool. The maximum vertical clearance at the bottom of the barrier may be increased to 4" when grade is a solid surface such as concrete deck, or when the barrier is mounted on the top of the aboveground pool structure. When barriers have horizontal members spaced less than 45" apart, the horizontal members shall be placed on the pool side of the barrier. Any decorative design work on the side away from the swimming pool, such as protrusions, indentations or cutouts, which render the barrier easily climbable, is prohibited.
2. Openings in the barrier shall not allow passage of a **1¾"** diameter sphere.
EXCEPTION: 1. when vertical spacing between such openings is 45" or more, the opening size may be increased such that the passage of a 4" diameter sphere is not allowed.
2. For fencing composed of vertical and horizontal members, the spacing between vertical members may be increased up to 4" when the distance between the tops of horizontal members is 45" or more.
3. Chain link fences used as the barrier shall not be less than 11 gauge.
4. Access gates shall comply with the listed requirements of Items 1 through 3. Pedestrian access gates shall be self-closing and have a self-latching device. Where the release mechanism of the self-latching device is located less than 54" from the bottom of the gate, (1) the release mechanism shall be located on the pool side of the barrier at least 3" below the top of the gate and, (2) the gate and barrier shall have no opening greater than ½" within 18" of the release mechanism. (3) Pedestrian gates shall swing **away** from the pool. Any gates other than pedestrian access gates shall be equipped with lockable hardware or padlocks and shall remain locked at all times when not in use.
5. Where a wall of a Group R-3 occupancy dwelling unit serves as part of the barrier and contains door openings between the dwelling unit and the outdoor swimming pool that provide direct access to the pool, a separation fence meeting the requirements of Items 1, 2, 3 and 4 (see above) shall be provided. Pedestrian doors exiting from garages shall meet these requirements, exception A is preferred.
EXCEPTION: When approved by the building official, one of the following may be used:
 - A. Self-closing and self-latching devices installed on all doors with direct access to the pool with the release mechanism located a minimum of 54" above the floor.
 - B. An alarm installed on all doors with direct access to the pool. The alarm shall sound continuously for a minimum of 30 seconds within seven seconds after the door and its screen, if present, are opened, and be capable of providing a sound pressure level of not less than 85 dba when measured indoors at 10'. **The alarm shall automatically reset under all conditions.** It shall be equipped with a manual means, such as a touch pad or switch, to temporarily deactivate the alarm for a single opening. Such deactivation shall last no longer than 15 seconds and shall be located at least 54" above the door threshold.
The alarm system must be separate from the dwelling security system alarm.
 - C. Other means of protection shall be acceptable and approved by the Building Official as long as the degree of protection afforded is not less than the protection afforded by the alarm system described above.
6. Where an aboveground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps, then 1) the ladder or steps shall be capable of being secured, locked or removed to prevent access, or 2) the ladder or steps shall be surrounded by a barrier which meets the requirements of Items 1 through 5. When the ladder or steps are secured, locked or removed, any opening created shall be protected by a barrier complying with Items 1 through 5.

B. Barriers for Self-contained Spas or Hot Tubs

A self-contained spa or hot tub equipped with a ***listed safety cover*** shall be exempted from the above requirements. If no cover information is available, follow the same barrier protections for swimming pool.

III. PLAN INFORMATION

At the time of plan submittal, provide **three (3)** complete plot plans drawn to a scale 1/8" = 1'-0, on no smaller than 17 x 22 inch paper in a concise, detailed and professional manner; inadequate plans will be rejected. Included on the plans shall be the following information:

A. Plans for Outdoor Swimming Pools

1. Plot plan – **three (3)** sets to include lot dimension, all existing building structures; location of easements and other utilities; existing and new retaining walls (if new retaining walls are over 2' with a surcharge, plans must be prepared by a Registered Civil Engineer or an Architect).
Setback distances from all property lines and other accessory building structures to the swimming pool.
Barrier information such as fences, gates, doors exiting to pool area, alarm mechanism.
Location of existing windows and doors in close vicinity to pool equipment and waterline (glazing shall be 'tempered' if less than 5' to waterline and bottom edge is less than 60").
Location of pool equipment, disconnects and breaker size; receptacle outlets within 20' of the pool; type of conduit to be used (i.e., metal or plastic); existing service panel and amperage.
Location of hose bibs within 20' of the pool.
2. Structural Plans – **two (2)** sets of stamped and wet-signed engineered plans and calculations prepared by a State of California Engineer. Please notify the Building & Safety staff if plans are currently in the Master Pool Plan file.
3. Approval from the Home Owners Association (if required).

B. Plans for Self-contained (Portable) Spas or Hot Tubs

1. Plot plan – include lot dimension, location of all existing building structures, easements and other utilities; setback distances from all property lines and building structures to the spa/hot tub. All minimum set back dimensions must be approved by the Planning Division prior permit application submittal.
Location of disconnects and breaker size; receptacle outlets within 20' of the hot tub/spa; type of conduit to be used (i.e., metal or plastic); existing service panel and amperage; location of hose bibs within 20' of the hot tub/spa.

IV. ELECTRICAL REQUIREMENTS

1. Receptacle outlets can be no closer than 10' to the spa and/or pool's waterline and shall be GFCI protected; J-boxes no closer than 4' to the spa and/or pool's waterline. Also refer to 2010 CEC Article 680.22 (A) (3), 680.24.
2. Wiring for a single-family dwelling pool or spa shall be copper or aluminum.
3. Underground wiring must be installed in Rigid Metallic Conduit or other approved method per the current 2007 CEC Article 680.21 (A) (1).

V. PLUMBING REQUIREMENTS

1. Provide manufacturer's brochure and/or cut sheets showing 55dba or less noise element.
2. Minimum 1 1/4" gas line or sized per the 2010 CPC
3. 12" minimum burial for underground gas lines; piping shall be wrapped in an approved manner. All joints and damaged areas where coating is missing must be double wrapped with 10 mil PVC tape.
4. Gas lines within garage or house, *exposed but protected from elements*, may be black iron or galvanized piping.
5. Gas lines *exposed to the elements* must be galvanized piping.
6. A gas shut-off valve within 3' of the heater is required. A minimum pressure test of 10 PSI for 15 minutes will be performed.
7. Hose bibs within 20' of water line must have anti-siphon device.

VI. REQUIRED INSPECTIONS

A. Outdoor Swimming Pools

1. **Site Check** - required prior to the issuance of a permit. The applicant shall schedule the site check inspection with the Building & Safety Division staff at (925) 833-6620 after notification that the plans have been reviewed and approved by all the divisions. The inspection will ensure there are no slope concerns, access to pool, existing easement locations, etc.
2. Pre-gunite - steel (rebar), plumbing under pressure test and electric installed.
3. Pre-deck- steel (rebar), all plumbing and electric must be installed.
4. Pre-plaster - prior to filling pool with water: barrier requirements (i.e., fence, gates, alarms on doors).
5. Final - all equipment is in operation and pool must be filled.

B. Spas and Hot Tubs

1. Pre-cover - required if plumbing lines or electric lines are placed underground.
2. Final - enclosure requirements such as fence, gates, alarm, doors; all equipment operational. Concrete slab or a gravel bed with a substantial border.

NOTE: A building permit is required for the construction of a deck supporting a spa; this is not exempted.

VII. PERMIT FEES

A. Swimming Pools

The permit fee includes all trades (i.e., building, mechanical, electrical and plumbing) and is based on the total project valuation per the City of Dublin's adopted Fee Schedule. Please call the Building & Safety Division staff for an estimate of a pool permit.

B. Spas and Hot Tubs

Portable - permit fee of \$70.00 (includes electrical and plumbing trades).

In-ground - based on the total project valuation (similar to a swimming pool permit).

C. Solar Panels for Swimming Pools

When work is permitted separately, the permit fee for a residential solar pool heating system is a flat fee of \$100.00.